

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2233

Introduced by Assembly Member Nielsen

February 18, 2010

~~An act relating to inmates.~~ *An act to add Section 5023.1 to the Penal Code, relating to inmates.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2233, as amended, Nielsen. Inmates: health care.

Existing law provides that the supervision, management and control of state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the Department of Corrections and Rehabilitation.

~~This bill would declare the intent of the Legislature to later amend this bill to authorize the secretary to create and implement a health management organization or preferred provider organization system of health care for inmates.~~

This bill, the Academic Correctional Health Care Act, would require the department to create a preferred provider organization or health management organization system of inmate health care delivery that dramatically reduces costs to a level similar to other large states, while providing a constitutional level of health care to inmates. The department would be required to begin implementing the program no later than one year after the effective date of the bill and fully implement the program no later than 4 years after the effective date.

The bill would also require the department, in cooperation with the University of California, Office of the President, and in consultation

with the Federal Receiver for the California Prison Health Care Receivership Corporation, to engage in a study to assess and evaluate the concept of and mutual interests in turning the delivery of inmate health care over to the University of California system, the goals of which would be to significantly reduce costs to taxpayers while more efficiently providing a constitutional level of health care to inmates. The study would be required to contain specified elements. The department would be required to complete the study and report to the Legislature by September 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 5023.1 is added to the Penal Code, to*
2 *read:*
3 *5023.1. (a) This act shall be known and may be cited as the*
4 *Academic Correctional Health Care Act.*
5 *(b) The Department of Corrections and Rehabilitations shall*
6 *create a preferred provider organization or health management*
7 *organization system of inmate health care delivery that*
8 *dramatically reduces costs to a level similar to other large states,*
9 *which currently is about one-half of California's costs, while*
10 *providing a constitutional level of health care to inmates.*
11 *(c) The department shall give careful and expeditious*
12 *consideration to the emerging trend of partnering with the*
13 *University of California in the delivery of inmate health care. The*
14 *department, in cooperation with the University of California, Office*
15 *of the President, and in consultation with the Federal Receiver for*
16 *the California Prison Health Care Receivership Corporation, shall*
17 *engage in a study to assess and evaluate the concept of and mutual*
18 *interests in turning the delivery of inmate health care over to the*
19 *University of California system, the goals of which are to*
20 *significantly reduce costs to taxpayers while more efficiently*
21 *providing a constitutional level of health care to inmates.*
22 *(d) The department shall include in its study a review of similar*
23 *reorganizations in Texas, New Jersey, and Georgia, as well as the*
24 *findings contained in the NuPhysicia study ("Assessment and*
25 *Evaluation: California's Opportunities for Improved Inmate Health*
26 *Care Quality and Cost Controls" (March 17, 2010)).*

1 (e) *The study shall consist of topics, including, but not limited*
2 *to, all of the following:*

3 (1) *Streamlining the leadership structure within the California*
4 *correctional health care system.*

5 (2) *A separation of duties where one entity assesses quality and*
6 *controls budgets, while a separate entity is accountable for*
7 *execution and delivery of care.*

8 (3) *Evaluating the efficacy of the existing decentralization of*
9 *leadership of the current 33 independent entities, as well as the*
10 *divisions of medical, dental, and mental health.*

11 (4) *How to best leverage the existing academic health care*
12 *centers.*

13 (5) *Implementation of true electronic medical records instead*
14 *of printing and scanning.*

15 (6) *Expansion of telemedicine.*

16 (7) *Centralization of pharmacy, supplies, and materials*
17 *management.*

18 (f) (1) *The study shall be completed, and the department shall*
19 *report the study results to the Legislature by September 1, 2011.*

20 (2) (A) *The requirement for submitting a report imposed under*
21 *this subdivision shall become inoperative on September 1, 2015,*
22 *pursuant to Section 10231.5 of the Government Code.*

23 (B) *A report to be submitted pursuant to this subdivision shall*
24 *be submitted in compliance with Section 9795 of the Government*
25 *Code.*

26 (g) *The implementation of the program specified in subdivision*
27 *(b) shall begin no later than one year after the effective date of*
28 *the legislation, and the complete implementation of the program*
29 *shall occur within four years of the effective date.*

30 ~~SECTION 1. It is the intent of the Legislature to later amend~~
31 ~~this bill to authorize the Secretary of the Department of Corrections~~
32 ~~and Rehabilitation to create and implement a health management~~
33 ~~organization or preferred provider organization system of health~~
34 ~~care for inmates.~~